



5. Environmental Consultation and Permit Requirements

This section describes the environmental consultation and permit requirements associated with the proposed City of Seattle Habitat Conservation Plan for the Cedar River Watershed.

5.1 Environmental Consultation

The Incidental Take Permit (ITP) is described in Chapter 1. Issuance of an ITP is a federal action subject to compliance with Section 7 of the ESA. Section 7 requires consultation by federal agencies with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service on the effects of an action on threatened and endangered species. The Services undertake an internal formal Section 7 consultation on permit issuance for HCPs they are asked to approve. Section 7 consultation is designed to ensure that the issuance of an ITP is not likely to jeopardize the continued existence of any listed species or result in the destruction of or adverse modification of critical habitat of a listed species. Formal consultation concludes with the preparation of a biological opinion, which provides the Services' determination on jeopardy and adverse critical habitat modification.

5.2 Permit Requirements

Other permits that would be required by SPU relate to the construction of the fish hatchery and watershed management activities. For the fish hatchery, a Shoreline Substantial Development, Conditional Use, Variance Permit, or exemption would be required from King County. A construction and grading permit from King County would also be required. Hydraulic project approvals (WAC-220-110) from the Washington Department of Fish and Wildlife would be needed for any instream work related to the hatchery or a spawning channel. If wetlands would be affected by hatchery construction, Section 404 permits from the Corps of Engineers would also be required.

For watershed management activities, hydraulic project approvals would be needed for culvert replacement and placement of new culverts. Timber harvest activities would proceed under Washington Forest Practices (WAC-222). Hydraulic project approvals would also be needed for instream habitat enhancement work both in the upper watershed and in the lower Cedar River below Landsburg.